

Definitions

Civil is the branch of law governing private rights and remedies. Civil actions are separate from and not dependant upon criminal proceedings.

Juvenile includes any person under the age of 18 and not married at the time of the offense. Also referred to as “minor child”.

Parent includes but is not limited to:

- Married biological parents
- Divorced single parent, awarded custody
- Custodial parent of a child born out of wedlock, with no custody order
- Family members awarded custody

Parent does **NOT** include the following:

- State approved foster parents
- State appointed Guardian Ad Litem
- Parent(s) of married, emancipated juveniles
- Step-parents who do not share in guardianship or custody
- County Children’s Services Board
- Ohio Youth Commission

THE INFORMATION CONTAINED IN THIS
BROCHURE IS PROVIDED AS A COURTESY AND
DOES NOT CONSTITUTE LEGAL ADVICE.

Contacts

Stark County Bar Association
(330) 453-0686
8:30 a.m.- 4:30 p.m. Monday-Friday

Provides attorney referrals based on
geographic area and specification

Community Legal Aid
(800) 998- 9454
9:00 a.m. - 4:00 p.m. Monday-Friday

Provides low income and senior population
with legal assistance.

Alliance Municipal Court
Civil Division
(330) 823-6600
8:00 a.m. - 4:30 p.m. Monday- Friday

Canton Municipal Court
Civil Division
(330)- 489-3205
8:00 a.m. - 4:30 p.m. Monday- Friday

Massillon Municipal Court
Civil Division
(330) 830-1731
8:30 a.m. - 4:30 p.m. Monday-Friday

Parental Liability for Delinquent Acts of a Juvenile

Civil Law Options in Cases of
Theft

Property Damage

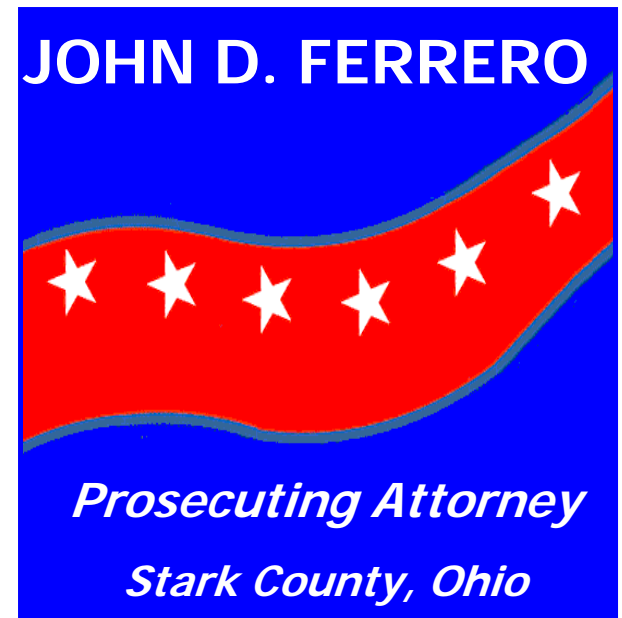
Assault

Vandalism

Desecration

Ethnic Intimidation

A Resource for Victims
courtesy of:



Stark County Prosecuting Attorney's Office
Stark County Office Building
110 Central Plaza South Suite 510
Canton, Ohio 44702
330-451-7897

www.prosecutor.co.stark.oh.us

Ohio law allows victims to file a lawsuit in civil court against the parents of the juvenile to recover money for the damages the juvenile caused to property, for theft, assault, vandalism, desecration or ethnic intimidation.

**Parental liability for
PROPERTY DAMAGE or THEFT
committed by a juvenile**

Ohio Revised Code §3109.09:

- A juvenile must have willfully committed the offense that caused injury or resulted in damage. This law does not apply to accidental or negligent behavior.
- A victim can file a civil action against a juvenile's parent(s) within 2 years of the date of the offense.
- A board of education can agree that a parent perform community services in lieu of restitution.
- Restitution for provable damages (out of pocket expenses, repairs, etc.) is limited to \$10,000 plus court cost.

**Parental liability for
ASSAULT
committed by a juvenile**

Ohio Revised Code §3109.10:

- A juvenile must have committed the offense willfully and maliciously by means or force likely to produce great bodily harm.
- A victim can file a civil law suit against a juvenile's parent(s) within 1 year of the date of the offense.
- Restitution for provable damages (out of pocket expenses, repairs, etc.) is limited to \$10,000 plus court cost.

**Parental liability for
VANDALISM, DESECRATION, or
ETHNIC INTIMIDATION
committed by a juvenile**

Ohio Revised Code §2307.70(B):

- Restitution for provable damages (out of pocket expenses, repairs, etc.) is limited to \$15,000.
- Court costs and reasonable attorney fees may be recovered by victims in addition to any damages awarded.

**Common Elements of
§3109.09, §3109.10 and 2307.70(B)**

- A civil lawsuit can be filed against a parent of a juvenile, even if no delinquency (criminal) charges are filed.
- An adjudication (conviction) in juvenile court is not admissible in a civil lawsuit.
- Court costs may be recovered by victims in addition to any damages awarded.
- Insurance companies may file a civil lawsuit to recover amounts paid to a victim/policy holder.

A civil complaint may be filed in the Alliance, Canton or Massillon Municipal Court. For assistance with filing a claim you may contact a private attorney, the Stark County Bar Association referral services or Community Legal Aid. However, an attorney is not required.